

Wednesday, May 21, 2008

Walter R. Lipscomb  
 458 Prospect Place, apt. 1F  
 Brooklyn, NY 11238

Andrez Carberry  
 100 Church St. Room 2-300  
 New York NY 10007

USDC SDNY  
 DOCUMENT  
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## MEMO ENDORSED

Re: Lipscomb v. City of New York  
 07 Civ. 4603 (PKC) (FM)

Dear Mr. Carberry:

I am writing this letter to request that you cease from sending any correspondence relative to my case to John Upton. Mr. Upton will no longer be affiliated with this case.

Please forward all future correspondence and documentation to my address until advised to do otherwise. Your cooperation is greatly appreciated in this matter.

Best regards,

Walter R. Lipscomb

Walter R. Lipscomb

cc: Judge P. Kevin Castel, United States District Judge

Judge Castel assigned this case to me for all pretrial purposes. Accordingly, an application to relieve counsel of further responsibilities should have been addressed to me. In any event, a party cannot simply fire counsel. The consent of the Court is required. See Local Civil Rule 1.4. There is no indication in this letter that Mr. Upton has been advised that Mr. Lipscomb wishes to disaffiliate him from this case. Consequently, the Court will hold a telephone conference on June 3, 2008, at 10 am to discuss Mr. Lipscomb's request. Mr. Lipscomb is directed to participate in that call which Mr. Upton shall initiate. If Mr. Upton wishes to be relieved, he should serve and file his motion by June 2, 2008.

Yours, USAT  
 5/27/08  
 5 NYC LAW DEPARTMENT